



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

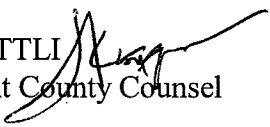
RAYMOND G. FORTNER, JR.
County Counsel

June 18, 2008

TELEPHONE
(213) 974-1838
FACSIMILE
(213) 626-7446
TDD
(213) 633-0901
E-MAIL
Jkrattli@counsel.lacounty.gov

TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Robin Guerrero
Deputy Executive Officer
Board Operations

FROM: JOHN F. KRATTLI 
Senior Assistant County Counsel

RE: **Juan C. v. County of Los Angeles**
Los Angeles Superior Court Case No. MC 014 972

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation in the above-referenced matter.

Also attached are the Case Summary and the Summary Corrective Action Plan which are to be made available to the public.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda for July 1, 2008.

JFK:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Juan C. v. County of Los Angeles, Los Angeles Superior Court Case No. MC 014 972, in the amount of \$225,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Children and Family Services' budget.

This lawsuit concerns allegations of abuse of a dependent minor under the supervision of the Department of Children and Family Services.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Juan C. v. County of Los Angeles
CASE NUMBER	MC014972
COURT	Los Angeles County Superior Court North District
DATE FILED	July 23, 2003
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$225,000
ATTORNEY FOR PLAINTIFF	GREG W. GARROTTO Garrotto & Garrotto (310) 229-9200
COUNTY COUNSEL ATTORNEY	Lauren M. Black Senior Deputy County Counsel (213) 974-0695
NATURE OF CASE	Minor Juan C. alleges that the Department of Children and Family Services failed to adequately supervise his placement for a six year period. Juan C. alleges that during the placement he suffered chronic mental and physical abuse which would have been detected and stopped if the County had properly monitored his case.

Due to the risks and uncertainties of litigation, the Department of Children and Family Services and third party administrator Carl Warren join in the recommendation to fully and finally resolve this litigation by tendering a lump sum payment in the amount of \$225,000. Since the plaintiff is a minor, this settlement will also need to be approved by the court before it is finalized.

PAID ATTORNEY FEES, TO DATE	\$ 90,188
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PAID COSTS, TO DATE	\$ 19,139
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Summary Corrective Action Plan

Department of Children and Family Services



The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	July 1995 through June 2001
Briefly provide a description of the incident/event:	<p>The minor was placed in a state licensed foster home (the foster mother would become his legal guardian shortly after placement) from July 1995 to September 2001. For the entire duration of the minor's placement in this home, the minor steadfastly maintained to his Children's Social Workers (CSW) that he was not abused or neglected by his caregiver. Additionally, the minor, when interviewed directly about allegations that he was victim of abuse, denied the allegations.</p> <p>After it was alleged, by another foster child, that the minor was being abused, the minor was removed from the foster parent's home.</p>

1. Briefly describe the root cause of the claim/lawsuit:

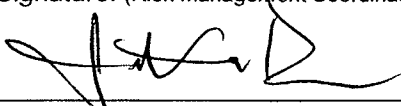

<p>1. The plaintiff contends that during this period of time there were inadequate standards for the granting of exceptions to State mandated visitation requirements.</p> <p>2. The plaintiff alleges that during this period of time there were inadequate policies and systems in place to ensure timely exchange of information between DCFS personnel regarding critical child safety issues.</p>
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2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

1. In the period following the events which gave rise to this lawsuit, the Department has strengthened internal protocols regarding when and how to obtain exceptions to mandated contact requirements.
2. Numerous policies have been updated to reinforce and expand the utilization of the CWS/CMS system to ensure improved intra-Departmental communication.

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- ☐ Potentially has County-wide implications.
- ☐ Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☒ Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) 	Date: 5-5-08
Signature: (Department Head) 	Date: 5-21-08